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March 29, 2024

Via ECF and Email

The Honorable Alvin Hellerstein  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: United States v. Roderick Gunn, 06 Cr. 911 (AKH)

Dear Judge Hellerstein:

Earlier today, the Court denied the March 27 defense motion to continue the sentencings of Roderick Gunn and Alton Davis, currently scheduled for April 2. *See* ECF No. 422 (Memo Endorsement). I write to respectfully ask the Court to reconsider this denial with respect to Mr. Gunn's sentencing. I have conferred with the government and it does not object to the continuance as to Mr. Gunn. The parties would jointly propose the following revised schedule:

- Defense Sentencing Submission: April 19
- Government Sentencing Reply: April 26
- Sentencing Hearing: a date soon thereafter, at the Court's convenience

In addition to the grounds for an adjournment articulated in Mr. Gunn's March 27 letter, *see* ECF No. 420, the Court should continue Mr. Gunn's sentencing for several other reasons.

[REDACTED]

More importantly, I have not been able to speak with Mr. Gunn substantively at all during the month of March. It's essential that I see him to review certain important materials and arguments prior to finalizing his submission. As the Court is aware, and as noted in my March 27 letter, legal visitation has been exceedingly difficult at MDC Brooklyn this month. Despite seven trips to MDC earlier this month, and two trips during the emergency lockdown this week, I was unable to see Mr. Gunn. Furthermore, MDC staff have announced that limited operations will

continue through Monday, April 1. I can assure the Court, however, that I will be able to meet with Mr. Gunn and finalize his submission in accordance with the proposed schedule.

Finally, I anticipate that Mr. Gunn's sentencing submission will include more than 40 exhibits, as well as a number of factual and legal arguments regarding the PSR and the sentencing factors. I want to ensure that the government has sufficient time to respond prior to sentencing.

Thank you for your consideration, and apologies to the Court and parties for the inconvenience.

Respectfully submitted,

/s/

Samuel Jacobson

Assistant Federal Defender

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cc: all counsel of record (by ECF)